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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,117	09/30/2003	Hung Q. Daodang	HSJ920030131US1	4315
7590	03/07/2005		EXAMINER TUROCZY, DAVID P	
Robert O. Guillot, Esq. IPLO INTELLECTUAL PROPERTY LAW OFFICES 1901 South Bascom, Suite 660 Campbell, CA 95008			ART UNIT 1762	PAPER NUMBER
DATE MAILED: 03/07/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/677,117

Applicant(s)

DAODANG ET AL.

Examiner

David Turocy

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on January 31, 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 1-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/30/03.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Claims 1-13 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 1/31/2005.

Specification

2. The use of the trademark Teflon has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

Claim Objections

3. Claims 15-19 are objected to because of the following informalities:

Claim 15 appears to include the typographical error "A hard disk as described in claim 14", however, claim 14 is drawn to a process for applying lubrication. For the purposes of applying art, the examiner is going to interpret claim 15 to read "A process for applying a lubrication layer onto an outer surface of a hard disk as described in claim 14".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was ~~not commonly owned at the time a later invention was made in order for the examiner to~~ consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 14-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent 5028471 by Takuma, hereafter '471 in view of US Patent 3979531 by Heller, hereafter '531.

'471 teaches of a method of lowering a plurality of disks into a lubrication bath and raising the plurality of disks from the bath (abstract, figures). '471 discloses providing a central mandrel with a plurality of disks spaced along length of the mandrel (Figures).

'471 fails to disclose intercepting the surface waves within the bath prior to the waves reaching another of the disks.

However, '531 teaches of a method of stabilizing the surface of a fluidized bath to provide a uniform parting line (abstract). '531 discloses providing a screen or a plate member that is positioned at the surface of the coating material (Column 1, lines 42-45). '531 discloses the member will cover the entirety of the immersion bath with appropriately positioned opening to accommodate the articles to be coated as they are immersed and withdrawn (Column 1, lines 45-51). '531 discloses including opening in the wave intercepting member for each of the plurality of immersed articles, therefore the surface waves are intercepted before the waves reach another of the immersed disks (Figure 3). While the examiner notes '531 is directed to fluidized powder beds, it is the examiners position that fluidized powder is inherently a liquid because fluidized powder behaves like a liquid.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify '471 to use the bath screen to intercept the surface waves as suggested by '531 to provide a stable surface of the coating bath because '531 discloses a stabilizing the surface of an immersion bath with a screen on the surface is known in the art to provide a coating with a uniform parting line on immersed substrates and therefore would reasonably be expected to effectively provide a plurality of disk immersed within a liquid lubricant bath with uniform parting lines.

Claim 19: '531 discloses form the wave-intercepting member with a side surface formed of a porous material to stabilize the bath surface, i.e. to diminish the waves (Figure 2-3).

Claims 16 and 17: '471 in view of '531 fails to explicitly disclose including a wave-intercepting member with a plurality of projecting members and a central mandrel slot.

However, '531 discloses the member will cover the entirety of the immersion bath with appropriately positioned opening to accommodate the articles to be coated as they are immersed and withdrawn (Column 1, lines 45-51). '531 discloses a generally rectangular wave intercepting member (Figure 2-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify '471 in view of '531 to position the opening in the wave intercepting member to accommodate the article to be coated as suggested by '531, including providing a plurality of projecting members and a central mandrel slot to accommodate each of the plurality of disks and the mandrel during the immersion process.

7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over '471 in view of '531 as applied to claim 16 above, and further in view of Abstract of Japanese Patent 2000000512 by Masashi et al, hereafter '512.

'471 in view of '531 teach all the limitations of this claim, however, they fail to disclose forming the wave-intercepting member with irregular shaped side surfaces to diminish the surface waves.

However, '512 discloses providing an uneven surface aids in eliminating the turbulence in the surface of a liquid bath (Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify '471 in view of '531 to use the uneven side surfaces as suggested by '512 to provide a desirable stabilization of the surface of the bath because '512 discloses uneven surfaces are known in the art to eliminate turbulence on the surface of a bath and therefore would reasonably be expected to effectively stabilize the surface waves when immersing a plurality of disks in a liquid coating medium.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Turocy whose telephone number is (571) 272-2940. The examiner can normally be reached on Monday-Friday 8:30-6:00, No 2nd Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on (571) 272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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David Turocy
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TIMOTHY MEEKS
PRIMARY EXAMINER
